

Panaji, 10th February, 2022 (Magha 21, 1943)

SERIES II No. 46

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There are four Extraordinary issues to the Official Gazette, Series II No. 45 dated 03-02-2022 as follows:—

- (1) *Extraordinary dated 3-2-2022 from pages 1249 to 1250 regarding Order from Department of Home.*
- (2) *Extraordinary (No. 2) dated 6-2-2022 from pages 1251 to 1252 regarding Notification from Department of General Administration.*
- (3) *Extraordinary (No. 3) dated 8-2-2022 from pages 1253-1254 regarding Notification from Department of General Administration and Orders from Department of Home and Department of Housing.*
- (4) *Extraordinary (No. 4) dated 9-2-2022 from pages 1255 to 1258 regarding Notifications and Circular from Department of Finance.*

GOVERNMENT OF GOA

Corporation of the City of Panaji

Administrative Section

Order

Ref. No. 131/2022/CCP/Admn/Child Com/
/2022-23/47

The Child Committee is constituted consisting of the following members as per Notification No. 2-137-2006/OW & CD from Directorate of Women & Child Development, Government of Goa:

- | | |
|------------------------------|-------------------------|
| 1. Miss Aditi Chopdekar | — Councillor, CCP |
| 2. Smt. Regina M. Vaz | — Superintendent, CCP |
| 3. Mast Lyndon Varghese | — Boy Child. |
| 4. Miss Sace Sachin Bhandari | — Girl Child. |
| 5. Smt. Geeta Mayenkar | — Health Staff, UHC. |
| 6. Smt. Sunita Lopes | — Teacher. |
| 7. Smt. Sharaya Waradkar | — Anganwadi Teacher. |
| 8. Miss Divya Raphael | — NGO. |
| 9. Shri Yogesh Kankonkar | — Legal Representative. |

10. Shri Avelino De Souza

— Socio Economically
Disadvantage
Representative.

Agnelo A. J. Fernandes, Commissioner.
Panaji, 28th January, 2022.

V. No. AP-983/2022.

Department of Education, Art & Culture
Directorate of Higher Education

Certificate

No. ACAD III/GC/Filling of Post-Regular/98/
/2021/6679

Read: Order No. ACAD III/GC/Filling of Post-Regular/98/2021/5271 dated 02-12-2021.

Certified that the character and antecedents of Ms. Sayali K. Gaunkar appointed to the post of Assistant Professor in Sociology (Group 'A' Gazetted) at Government College of Arts, Science and Commerce, Quepem under Directorate of Higher Education vide above referred Order has been verified by the Addl. District Magistrate, South Goa, Margao-Goa and nothing adverse has been reported against her at Police Stations in Goa.

H. B. Khedekar, Under Secretary (Higher Education).
Porvorim, 1st February, 2022.

Certificate

No. ACAD III/GC/Filling of Post-Regular/98/2021/6680

Read: Order No. ACAD III/GC/Filling of Post-Regular/98/2021/5689 dated 22-12-2021.

Certified that the character and antecedents of Ms. Anupama A. Gaonkar appointed to the post of Assistant Professor in Commerce (Group 'A' Gazetted) at Government College of Arts, Science and Commerce, Quepem under Directorate of Higher Education vide above referred Order has been verified by the Addl. District Magistrate, South Goa, Margao-Goa and nothing adverse has been reported against her at Police Stations in Goa.

H. B. Khedekar, Under Secretary (Higher Education).

Porvorim, 1st February, 2022.

**Department of Environment & Climate Change****Order**

No. 7/4/98/STE/DIR/Part I/1191

In pursuance of the sub-rule (3) of Rule 5 of the Noise Pollution (Regulation & Control) Rules, 2000, the Government of Goa is pleased to direct the "authority" specified in the Government Notification No. 7/4/98/STE/DIR/Part I/922 dated 04-12-2007, published in the Official Gazette, Series II No. 37 dated 13-12-2007, Notification No. 7/4/98/STE/DIR/Part I/1545 dated 15-01-2010, Notification No. 7/4/98/STE/DIR/Part I/104 dated 23-04-2015 and Notification No. 7/4/98/STE/DIR/Part II/480 dated 12-09-2019, to permit the use of loudspeakers or public address system during night hours from 10.00 p.m. to 06.00 a.m. during the year 2022, on the days specified in the Schedule hereto, throughout the State of Goa.

"Terms and conditions for issue of permission.

1. The permission shall be granted only on a case-to-case basis, in response to a specific application made by the concerned Village Panchayat, Municipal Corporation/Municipal Council or an individual.
2. The provisions of the Noise Pollution (Regulation and Control) Rules, 2000 shall be strictly complied with.
3. The 'authority' concerned shall monitor the noise levels during the permitted festive occasion and take prompt remedial action in the event of any violation of the same and of above conditions."

SCHEDULE

Sr. No.	Cultural/Religious Festive occasion	Date
1.	Carnival (Last day of Carnival)	27th February, 2022.
2.	Holi	18th March, 2022.
3.	Easter Eve	17th April, 2022.
4.	Easter Day	18th April, 2022.
5.	Ganesh Chaturthi (2nd day of idol immersion)	01st September, 2022.
6.	Ganesh Chaturthi (5th day of idol immersion)	05th September, 2022.
7.	Anant Chaturdashi	09th September, 2022.
8.	Navaratri (1st day of Navaratri)	26th September, 2022.
9.	Navaratri (last day of Navaratri)	05th October, 2022.
10.	Kojagiri Poornima	09th October, 2022.
11.	Diwali Eve	23rd October, 2022.
12.	Diwali	24th October, 2022.
13.	Tripurari/Kartiki Poornima	07th November, 2022.
14.	Christmas Eve	24th December, 2022.

1	2	3
15. Christmas		25th December, 2022.
16. New Year's Eve		31st December, 2022.
17. New Year Day		1st January, 2023.

By order and in the name of the Governor of Goa.

Dasharath M. Redkar, Director & ex officio Jt. Secretary (Env. & Climate Change).

Panaji, 7th February, 2022.

◆ ◆ ◆

Goa Human Rights Commission
Office of the Goa Human Rights Commission
Before the Goa Human Rights Commission
Panaji-Goa

Proceeding No. 181/2019

Vidhya Shetkar,
F-6, Mandavi Residency,
Housing Board Colony,
Alto Porvorim, Goa-403521 ... Complainant.

V/s

- 1) The Chairman,
Shri Damodar Education Society,
Gudi-Paroda, Quepem-Goa.
- 2) The Director of Education,
Directorate of Education,
Porvorim-Goa.
- 3) The Dy. Director of Education,
South Educational Zone,
Margao-Goa ... Respondents.

Inquiry Report/Order

(07th October, 2021)

The Complaint dated 11-07-2019 was received from the Complainant, Smt. Vidya Shetkar, seeking settlement of final withdrawal of her Provident Fund.

It is the case of the Complainant that she was working as Asstt. Teacher at in Damodar English High School at Gudi, Paroda and she opted for voluntary retirement in the year 2015 and submitted her application dated 25-11-2016 for final withdrawal of GPF which is not settled and her human rights have been violated.

2. on perusing the complaint, by Order dated 16-07-2019, the Commission called for the report from the Respondent No. 1, i.e. the Chairman, Shree Damodar Education Society, Gudi-Paroda.
3. The Respondent No. 1 filed their report dated 31-08-2019 stating that the Complainant had

voluntarily resigned on 16-06-2015. In the year 2014, there were complaints regarding her bogus B. A. Degree Certificate. She opted for voluntary retirement from 16-06-2015 and was relieved from her duties.

The Respondent No. 1 stated that, in the month of June, the forgery case was registered in the Quepem Police Station and the police took her service book and personal file for investigation. After receiving both the documents, they forwarded the pension papers to the South Educational Zone, Margao who refused her final GPF payment and requested to forward the papers after getting the report from the Vigilance Department.

4. The Complainant, then filed her Rejoinder dated 20-03-2020. She stated that she had opted for voluntary resignation. By subsequent letters, she requested the Respondent No. 1 to consider her voluntary resignation as "voluntary retirement". She also stated that the forgery case has been disposed by the Sessions Court. She stated that she had refunded the excess payment which she received after her promotion for the period from 28-12-2010 to 16-06-2015 being an amount of Rs. 45,690/-. She also stated that there is no vigilance case pending at present and to direct the Respondent No. 1 and Director of Education to settle her GPF withdrawal and pension case.
5. Subsequently, the Complainant filed her second, Rejoinder dated 20-08-2020 that she had complied with the information demanded by the Respondent No. 1, for finalizing her GPF and pension case.
6. The Commission, by Order dated 20-08-2020 called for the report from the Director of Education, Porvorim, who was added as Respondent No. 2.
7. On 10-12-2020, the Commission added Dy. Director of Education, South Educational Zone, Margao as Respondent No. 3 and called for their report.
8. The Respondent No. 3 filed their report dated 13-01-2021 stating that their office has received

the pension case of the Complainant on 06-04-2016 and it was returned back to the School seeking details. The Respondent No. 3 stated that the case was re-submitted by the School and was again returned seeking clarification.

9. The Respondent No. 3 have further stated that the pension papers were returned and re-submitted seven times by the Respondent No.1 and lastly, on 24-11-2020, the same has been forwarded to the Directorate of Accounts, Panaji.

10. At the stage of final arguments, Shri Rohidas Shetkar, husband of the Complainant was heard and Respondent No. 1 was absent. Shri D. Chawdikar, Dy. Director of Education (Legal) was heard on behalf of the Respondents No. 2 & 3. The Complainant has relied on the Judgment of Supreme Court in support of his arguments.

11. In **Sudip Chandra Sarkar vs Tata Iron & Steel Co. Ltd., AR 1994 SC 1064**, the Hon'ble Supreme Court was considering a case where the plaintiff had rendered continuous service for 20 years and 8 months and he had submitted the letter of resignation which was accepted by the Respondent. On these facts, the Apex Court held as under:

"The termination of service was thus on account of resignation of the plaintiff being accepted by the Respondent. The plaintiff has, within the meaning of the expression, thus retired from service of the Respondent and he is qualified for payment of gratuity in terms of Rule 6".

This authority was referred to in the judgment of the Hon'ble Supreme Court in the case of **Sheelkumar Jain vs New India Assurance Co. Ltd.**, decided by the Division Bench of the Hon'ble Supreme Court on 28-07-2011.

it was held therein that the Court will have to construe the statutory provisions in each case to find out whether the termination of service of an employee was a termination by way of resignation or a termination by way of voluntary retirement.

12. The husband of the Complainant had argued that though the Complainant had given a letter for resignation, the same has to be treated as voluntary retirement and her pensionary benefits have to be released.

13. The Respondent No. 3 has stated that the papers of the Complainant were re-submitted by the School by letter dated 05-12-2018 for considering her case as voluntary retirement. The Respondent No. 3 had then asked the School for the letter of the Complainant to consider her voluntary retirement in place of voluntary resignation and the Order from the competent Authority accepting the voluntary retirement.

14. The Respondent No. 3 had stated that the pension papers were again re-submitted along with the Court Orders and the School letter dated 07-01-2019 by the Respondent No. 1 and subsequently, by letter dated 24-11-2020 and the same was forwarded to the Directorate of Accounts.

15. The letter dated 12-02-2021 of the Respondent No. 1 addressed to the Respondent No.3 indicates that the Respondent No. 1 had entered the words "Voluntary Retirement" in her service book as advised by the Director of Education, Porvorim.

16. **Section 18(a) of The Protection of Human Rights Act, 1993 reads as under:-**

"(a) where the inquiry discloses the commission of violation of human rights or negligence in the prevention of violation of human rights or abetment thereof by a public servant, it may recommend to the concerned Government or authority—

(i) to make payment of compensation or damages to the complainant or to the victim or the members of his family as the Commission may consider necessary;

(ii) to initiate proceedings for prosecution or such other suitable action as the Commission may deem fit against the concerned person or persons;

(iii) to take such further action as it may think fit".

17. Under Section 18(a) of the Protection of Human Rights Act, 1993, the Commission recommends that, the Respondents No. 2 & 3 consider that the Complainant had "**voluntarily retired**" on 16-06-2015 and ensure that the Complainant receives her pension and GPF amount in accordance with law.

18. Under Section 18(e) of the Protection of Human Rights Act, 1993, the Commission shall send a copy of the Inquiry Report together with its recommendations to the Respondent and the Respondent shall within a period of one month

or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken thereon to the Commission.

19. Copy of the Inquiry Report be sent to the Respondents No. 2 & 3, calling for their comments, including the action taken or proposed to be taken within a period of one month or on or before 29-10-2021, in terms of Section 18(e) of the Protection of Human Rights Act, 1993.

Date: 07-10-2021.


Place: Panaji-Goa.

Sd/-
Justice U. V. Bakre,
Chairperson,
Goa Human
Rights
Commission.

Sd/-
Desmond D'Costa,
Member,
Goa Human
Rights
Commission.

Sd/-
Pramod V. Kamat
Member,
Goa Human
Rights
Commission.

By speed post


Government of Goa
SOUTH EDUCATIONAL ZONE
Margao - Goa.

GHRC
Inward No.: 1999
Date: 01/12/21

Email:- ddesez@gmail.com Tel:- 0832-2714825/2714840 Fax:- 0832-2714825
No: SEZ/S/GHRD/VS/2021 / 6167 Dated:-26/11/2021.

To,
The Section Officer,
Goa Human Rights Commission,
Office of the Goa Human Rights Commission,
Old Education Department, 1st Floor,
18th June Road, Panaji - Goa..

30
*Put up the file
UVBakre
02/12/21
21/12/21*

Sub:-Inquiry Report/Order dated 07/10/2021 in Proceeding No. 181/2019.

Sir,

Please refer to your letter No.Proceeding No.181/2019/967 dated 19/10/2021, received by this office on 26/10/2021, on the above cited subject. In this regard, I am to furnish herewith the report including action taken report or proposed to be taken, for your further necessary action.

Yours faithfully

(Dr. Uday C. Gaunker)
Dy. Director of Education
South Education Zone
Margao - Goa.

Encl:As above.

*File
Rakesh
10/12/2021*

**Before the Goa Human Rights Commission
Panaji-Goa**

Proceeding No. 181/2019

Mrs. Vidhya R. Shetkar,
F-6, Mandavi Residency,
Housing Board Colony,
Alto Porvorim, Goa-403521 Appellant.
V/s

- 1) The Chairman,
Shri Damodar Education Society,
Gudi-Paroda, Goa .. Respondent No. 1.
- 2) The Director of Education,
Directorate of Education,
Porvorim-Goa ...Respondent No. 2.
- 3) The Dy. Director of Education,
South Educational Zone,
Margao-Goa ...Respondent No. 3.

Dated: 26-11-2021.

Rejoinder to Report

With reference to the Proceeding No. 181/2019/
/967 dated 19-10-2021, I am to submit here the
comments/action taken report in respect of
settlement of final withdrawal of Provident Fund &
Pension of Mrs. Vidhya R. Shetkar.

It is brought to the notice that the papers of GPF
final withdrawal forwarded to the Jt. Director of

Accounts, Directorate of Education, Porvorim-Goa,
for sanction order. The papers were returned with
observation by Directorate of Education, Porvorim
vide Letter No. DE/ACCTS/X/1/GPFA.CPF/2020/
/1967 dated 30-03-2021 (**Annexure-I**) to this office
and subsequently it was forwarded to the School
for Compliance vide this office letter No. SEZ/
/Accts/GPF/2020/158 dated 07-04-2021.

The School complied with the observations raised
and submitted the GPF papers to this office, vide
letter No. DEHS/GPF-125/2020-21/2106 dated
03-06-2021 (**Annexure-II**) but was returned back to
school with few observation vide letter No. SEZ/
/Accts/GPF/2020/1433 dated 21-06-2021 for
compliance, GPF case is not yet received to this
office after compliance.

In respect of Pension case of Mrs. Vidhya R. Shetkar,
Graduate Teacher is re-submitted by Damodar
English High School, Gudi-Paroda, vide their office
letter No. DEHS/PEN-185/2021-22/2208 dated
27-10-2021. Accordingly this office have forwarded
the pension case to Directorate of Accounts, Panaji
vide this office letter No. SEZ/Accts/Aided/Pens/
/21/5598 dated 01-11-2021.

Dr. Uday C. Gaunker,

Dy. Director of Education &
Respondent No. 3.

**Government of Goa
DIRECTORATE OF EDUCATION
Alto - Porvorim, Bardez - Goa**

Email:- dir-educ.goa@nic.in

Tel:-0832-2416023,2416033Fax:-0832-2416136

DE/ACCTS/X/1/GPF.A.CPF./2020/1967

SOUTH EDUCATIONAL Dated: 30/ 03 /2021

To,
The Dy. Director of Education,
South Educational Zone,
Margao - Goa.

Entry No. 51
Date: 5-4-21

Sub: G.P.F. Final Payment case of Mrs. Vidhya R. Shetkar
Ex-Graduate Teacher

Ref: SEZ/Accts/GPF-Final/2021/7463 dated 18/02/2021

Sir,

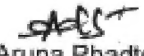
With reference to your letter No. SEZ/Accts/GPF-Final/2021/7463 dated 18/02/2021,
I am directed to inform you that the G.P.F. Final Payment papers in r/o Mrs. Vidhya R.
Shetkar, Ex-Graduate Teacher of Damodar English High School, Gudi - Paroda, Quepem -
Goa, received from your office vide above referred letter are returned herewith for early
resubmission after necessary compliance of the following observations:-

1. Observations No.1 & 5 raised vide letter No.DE/ACCTS/X/1/GPF A CPF/2020/1486 dated 14/01/2021 have not been complied.
2. It is observed that interest claimed beyond 6 months w.e.f. 11/05/2015 not admissible as per provision of G.P.F. Rules. She is eligible for only 6 months interest i.e. upto October 2015.
3. Individual Ledgers may be arranged in order. i.e. year wise.
4. G.P.F. Nomination Form of the subscriber may be furnished.
5. Copy of the page 13 of Service Book may be signed by the competent Authority.
6. Any correction /overwriting made may be attested by the competent authority.
7. Parawise compliance of the observations may be given.
8. While submitting the G.P.F. Final Payment case thorough check to be carried out.

In the instant case, it is observed that the case is forwarded without having any check.

It may please be noted that the Zonal Authority shall be held responsible for any Legal issues raised by the concern employee for non - settlement of the dues in time.

Yours faithfully,


(Aruna Phadte)
Joint Director of Accounts
Directorate of Education
Porvorim - Goa

Encl: G.P.F. Final Payment application and relevant documents

Copy to:
The Manager,
Damodar English High School,
Gudi-Paroda, Quepem - Goa.

Office of the Goa Human Rights Commission
Proceeding No. 57/2013

Inquiry Report

The Complainant was working as secondary teacher at St. Anthony's High School, Monte de Guirim since September, 1976 and retired on 31-08-2012 on superannuation. The Complainant has approached this Commission with a grievance that although she retired on 31-08-2012, she has not been paid her monthly pension and also other terminal benefits even though seven months had lapsed after her retirement. She has further stated that all her efforts and meetings with various officials of Education Department and Headmaster of the School have gone in vain. She has also stated that in case the lumpsum amount of terminal benefits was paid to her and invested in the Bank,

she would have earned some amount of interest for delayed payment from October, 2012. She has also claimed interest on such amount for the period of delay.

2. On the basis of the complaint, this Commission initially issued notices to the Respondents No. 1 and 2 i.e. the Director of Education and Director of Accounts, Panaji-Goa respectively. However, during the course of inquiry, the Headmaster, St. Anthony's High School and the Chairman, School Managing Committee, St. Anthony's School were added as Respondents No. 3 and 4 respectively and notices were issued to them. All the Respondents have filed their respective replies.

3. Thereafter, the Respondent No. 2/Director of Accounts filed an application dated 21-10-2013 stating therein that the claim of the GPF has been settled in the month of September, 2013 and the pension case of the Complainant had been disposed

of on 11-10-2013. The Respondent No. 1/Director of Education filed status Report on 16-01-2014 confirming the statement made by Respondent No. 2. The Complainant did not dispute that her claim of GPF as well as her pension claim were settled. However, the Complainant made a statement that there was a delay in settlement of her claim for pension and claimed interest. The matter was therefore posted for hearing on 10-03-2014 on the limited question as to whether the Complainant can claim interest before this Commission on which date the Complainant filed an Affidavit along with several documents in support of her claim for interest. The Respondent No.1 filed reply opposing the Affidavit filed by the Complainant.

4. The Complainant in her Affidavit has stated amongst other things that there was a delay of thirteen months in paying her retirement benefits without delay on her part. She has further stated that only after filling the present complaint, she was given benefits as indicated below:

- a) Rs.15,40,000/- towards GPF was paid on 05-10-2013.
- b) Rs.7,52,350/- towards gratuity was paid on 30-10-2013.
- c) Rs. 5,21,336/- towards commutation was paid on 30-10-2013.
- d) Rs. 3,09,827/- towards pension arrears was paid on 30-10-2013.
- e) Rs.1,67,189/- towards Leave Encashment was paid on 20-12-2013.

5. We have perused the records of this case. We have also heard the Parties.

6. Admittedly, there is a delay of 12 months and 5 days in payment of GPF amount. Similarly, there is a delay of 13 months in payment of gratuity amount, commutation of pension and arrears of pension. There is also delay of 12 months and 20 days in payment of Leave Encashment. The limited question for consideration is whether the Respondents have justified this delay in payment of terminal benefits to the Complainant.

7. The root cause for delay in payment of terminal benefits to the Complainant is on account of the fact that the Option Form to switch over CPF to GPF (Pensionary Scheme) of the Complainant was not properly forwarded by the Respondent No. 3. In para-5 of the reply, the Respondent No.1 has stated that the Respondent No. 3 made an error by sending the switch over Option Form on their own without there being Government approval for

the same and illegally deducted the contribution of the Complainant sent to the Directorate of Education (North Education Zone). It is further stated that the School Authority was requested to submit month-wise details of the account deposited to the GPF account of the Complainant for the period from July, 2007 to April, 2008 along with the contribution of the Management for the same period in order to consider the request of the Complainant for switch over from CPF to GPF (Pensionary Scheme). It is further stated that since the information sought for was not received by North Education Zone, Mapusa, reminder was sent to the Headmaster of the School to comply with the letter dated 12-05-2008. Once again the Assistant Accounts Officer, North Education Zone, Mapusa sent reminder to the Headmaster asking him to comply with the letter dated 12-05-2008. Again on 05-08-2009 a second reminder was sent to the Headmaster to deposit the Management share for the period from July, 2007 to April, 2008 to the CPF account of Mrs. Uma Umakant Chodankar and asked to submit proposal for switch over from CPF to GPF. The Respondent No. 1 reminded the School Authorities time and again to send the particulars and more particularly to pay the contribution towards the Management share to be credited to CPF account which was not paid by the School Authorities. The Joint Director of Accounts of the Respondent No. 1 wrote a letter dated 15-01-2013 to the School and requested for immediate compliance of the observation made by the Directorate of Accounts. On 09-05-2013 the Joint Director of Accounts, Directorate of Education informed the Headmaster of the School to deposit the amount of Management share of CPF in respect of the Complainant at the first instant in the Government Treasury and claim reimbursement if admissible and requested to settle the case at early date. By letter dated 13-08-2013, the Dy. Director of Education sent a reminder to the Headmaster and directed to submit Pension Case and GPF final payment case duly completed to the North Education Zone urgently. Again, the Director of Education vide letter dated 23-08-2013 and 26-08-2013 informed the Headmaster that the School has failed to submit GPF final payment and Pension case and warned to take serious action against the School and directed to submit the case for finalisation within five days from the issue of the letter failing which stern action as deemed fit as per law will be taken. According to Respondent No.1, the Headmaster of the School and School Management are responsible for delay in settlement of pensionary benefits to the Complainant.

8. It is apparent from the records of this case that the Respondent No. 1 was repeatedly requesting the Respondent No. 3 to settle the pension case of the Complainant. In our view the delay in settlement of GPF claim and pension claim of the Complainant is on account of the lethargic attitude of the Respondent No. 3 and Respondent No. 4.

9. As far as GPF claim is concerned, the Complainant is entitled for interest on delayed payment as there was no fault on the part of the Complainant. As per Rule-11(4) of General Provident Fund (Central Services Rules, 1960) and C&A.G.'s decisions, the interest is to be allowed in case delay has occasioned by circumstances beyond the control of the subscriber and purely due to administrative reasons.

10. In so far as other terminal benefits are concerned, there is no specific provision for payment of interest on delayed payment. But then, the Authorities cannot be a silent spectator to such delay for which the Pensioner is not at fault. Non-payment of terminal benefits to the Complainant in time has a tendency of infringement of fundamental rights of the Complainant as envisaged under Article-21 of the Constitution of India. Consequently, human rights of the Complainant stand violated on account of unjustified delay in payment of terminal benefits to the Complainant in time. The principles of natural justice demand that the Complainant who is the victim for delay in payment of her legitimate dues should be compensated by awarding a reasonable compensation to be paid by the defaulting authorities. The amount of other terminal benefits, other than GPF amount works out to Rs. 17,50,702.00 (Rupees seventeen lakhs, fifty

thousand seven hundred two only). In case the Complainant was paid the said amount in time and had the Complainant invested the amount in fixed deposit in any bank for a period of thirteen months, the Complainant would have earned interest more than Rs. 1,50,000/- (Rupees one lakh fifty thousand only) at the prevailing interest rates. We therefore feel that the compensation of Rs. 1,00,000/- (Rupees one lakh only) shall be appropriate and would meet the ends of justice.

11. For reasons mentioned above, we make the following recommendations:

- i) The Respondent No. 1 shall pay interest on the delayed payment of GPF within a period of one month as admissible under the Rules.
- ii) Respondent No. 1 shall pay compensation of Rs. 1,00,000/- (Rupees one lakh only) to the Complainant on account of delay in payment of terminal benefits within a period of one month.
- iii) Since the Government is not at fault for the delay in payment of other terminal benefits, such compensation shall be deducted from the grant in aid of the School and appropriated to the Government.

Date: 15-09-2014.

Place: Panaji-Goa.

Sd/-	Sd/-	Sd/-
Justice P. K. Misra,	A. D. Salkar,	J. A. Keny,
Chairperson,	Member,	Member,
Goa Human	Goa Human	Goa Human
Rights	Rights	Rights
Commission.	Commission.	Commission.

23/08/2021
 Received
 Date: 23/08/2021



Government of Goa
DIRECTORATE OF EDUCATION
 Alto - Porvorim, Bardez - Goa

Email:- dir-educ.goa@nic.in

Tel:-0832-2416023,2416033 Fax:- 0832-2416136

No.DE/LEG/Human Rights Commission/2013/48 Dated: 19/08/2021

Put up the file
 V/Baune
 23/08/2021
 BDA/GH
 23/08/2021
 23/08/2021

To,
 The Chairperson
 Goa Human Rights Commission
 Panaji Goa.

Sub: Inquiry Report in Proceeding No.57/2013.
 Ref: Proceedings No.57/2013/1243 dated 21/11/2014.

Sir,

With reference to the above inquiry report in Proceeding No.57/2013, I would like to inform you that St. Anthony High School, Monte-de-Guirim, Bardez-Goa filed Writ Petition No.789

of 2014 in the Hon'ble High Court of Bombay at Goa against Mrs. Uma Umakant Chodankar, retired teacher of St. Anthony High School, and others.

While disposing of the Writ Petition, vide Order dated 23/03/2021 the Hon'ble High Court directed to apply provisions contained in Section 18 of the Protection of Human Rights Act 1993.

The Directorate of Education forwarded the recommendation to the Government to take a decision. The Government has


File
UVB
21/12/2021

Cont....2/-

accepted the recommendation of the Goa Human Right Commission and agreed to pay the interest on the delayed payment of G.P.F. and also agreed to pay the compensation of Rs.1,00,000/- (Rupees One Lakh only) to the complainant on account of delay in payment in termination benefit and such compensation will be deducted from the Grant-in-Aid of the School and appropriated to the Government.

This issued with the approval of the Government.

By Order and in the name of
the Governor of Goa.


(Bhushan K Sawaikar)
Director of Education &
Ex-officio Joint Secretary
to Government of Goa.

Copy to:

- 1) The Manager, School Managing Committee,
St. Anthony High School, Monte-de-Guirim, Bardez Goa.
- 2) Joint Director of Accounts of this Directorate, Porvorim
Goa.
- 3) The Dy. Director of Education (Acad) of this Directorate,
Porvorim, Goa.
- 4) Mrs. Uma Umakant Chodankar,
Ex-Assist. Teacher of St. Anthony High School, Monte-de-
Guirim, Bardez-Goa,
R/o B-2, Dena Laxmi Co-op. Housing Society Ltd.,
Rego Baag, Bambolim Copmplex, Bambolim Goa.
- 5) The Dy. Director of Education, North Educational Zone,
- 6) The Headmaster, St. Anthony H/S, Monte-de-Guirim, Bardez.

Goa State Mental Health Authority
Institute of Psychiatry and Human Behaviour

Notification

No. GSMHA/Review Board/01/2021-2022/3492

In exercise of the powers conferred under Section 73 read with Section 75(2) of Mental Healthcare Act, 2017 (Central Act 10 of 2017) and Rule 18(3) of Mental Healthcare (Central Mental Health Authority and Mental Health Review Boards) Rules, 2018, the Government hereby constitute one Mental Health Review Board, for both the Districts (North & South) for the State of Goa, consisting the Chairperson and the following members:-

- | | |
|------------------------------|----------------|
| 1. Mr. Ashley L. C. Noronha, | — Chairperson. |
| Ex-District Judge | |
| 2. Dy. Collector & DRO, | — Member. |
| Representative of the | |
| Collector, North Goa | |
| 3. Dr. Mukul M. S. Mahatme, | — Member. |
| Medical Practitioner | |
| 4. Dr. Akshada Amonkar, | — Member. |
| Psychiatrist | |
| 5. Smt. Sanjiwani M. Dessai, | — Member. |
| Care-givers/NGO | |
| 6. Smt. Ketki Gadekar, NGO | — Member. |

The Chairperson and the members of the Board are entitled for honorarium and other allowances payable to, other terms and conditions of service of the Chairperson and the members of the Board shall be as per Mental Healthcare (Central Mental Health Authority and Mental Health Review Boards) Rules, 2018.

The composition of Review Board shall be in force with immediate effect from the date of Notification in the Official Gazette.

Sd/- Chairperson, Goa State Mental Health Authority.

Bambolim, 8th February, 2022.

◆◆◆
Department of Personnel

Order

No. 6/2/2022-PER/268

Ref: Order No. 6/11/2010-PER(part)/2165 dated 30-08-2021.

Dr. Snehal P. Naik Goltekar, Additional Commissioner of Commercial Taxes-II, stands relieved with immediate effect to enable him to join on full time basis in the office of Chief Electoral Officer with immediate effect till completion of entire process pertaining to General Elections to Goa State Legislative Assembly, 2022 i.e. upto 12-03-2022 (Saturday).

Smt. Sarita Gadgil, Additional Commissioner of Commercial Taxes-I shall hold the charge of the post of Additional Commissioner of Commercial Taxes-II in addition to her own duties during the election process till Dr. Naik Goltekar resumes the duty.

Dr. Snehal P. Naik Goltekar shall continue to draw the salary from the post held by him prior to his appointment as Nodal Officer.

Vishal C. Kundaikar, Under Secretary (Personnel-I).

Porvorim, 03rd February, 2022.

Order

No. 5/2/2017-PER/270

On the recommendation of the Goa Services Board, the Governor of Goa is pleased to order transfer of the following Junior Scale Officer of Goa Civil Service, in public interest, with immediate effect:-

Sr. No.	Name of the officer & present post	Posted as
1	2	3
1.	Smt. Ashweta Redkar Deputy Director (Admn.), Technical Education	Assistant Chief Electoral Officer.

Shri Girish Sawant, Under Secretary, Home-II shall hold the charge of Deputy Director (Admn.), Technical Education in addition to his own duties.

The officers shall complete handing over and taking over process with immediate effect and submit compliance.

This is issued with the approval of the Election Commission of India vide letter No. 154/Goa/2022-P. Admn. dated 17-01-2022.

By order and in the name of the Governor of Goa.

Vishal C. Kundaikar, Under Secretary (Personnel-I).

Porvorim, 3rd February, 2022.

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Department of Public Health

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Certificate

No. 38/4/2016-I/PHD/224

Read: Government Order No. 38/4/2016-I/PHD/2519 dated 23-11-2021.

Certified that the character and antecedents of Dr. Von Richard Mascarenhas, Medical Officer (Group 'A' Gazetted), under Directorate of Health Services has been verified by the District Magistrate, South Goa, Margao vide letter No. 36/05/2019/MAG/243/15831 dated 29-12-2021, it is revealed that there is nothing adverse reported against him.

Gautami Parmekar, Under Secretary (Health-II).

Porvorim, 7th February, 2022.

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Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 12.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—363/150—2/2022.